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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

C.A.J.

WRIT PETITION NO. 6249 OF 2007

Flat Products Equipments (I) Ltd. .. Petitioner

Versus

The Union of India and Ors. ... Respondents

Mr. Prakash Shah with Mr. Jitu Motwani for Petitioner.

Mr. R.V. Desai, Sr. Counsel with Mr. A.S. Rao with Mr. R.F. Lambay i/by H.P. Chaturvedi for Respondents.

CORAM: F.I. REBELLO &
J.P. DEVADHAR, JJ.
DATED: SEPTEMBER 06, 2007

P.C.:

. Rule. Heard forthwith.

. The grievance of the Petitioner is that the orders at Exh. D1 to D34 to the extent that they are adverse against them be set aside as the relief was refused to that extent without giving them an opportunity of hearing.

. In our opinion as the order involves civil consequences, if the respondents were to reject the part of the relief prayed for by the Petitioner, it ought to have granted to them an opportunity. Considering the above, rule made absolute in terms of Prayer clause (a). The impugned orders to the

extent of rejection of claim are set aside. The Respondent No. 3 after giving the opportunity to the Petitioners, to decide that part of the claim which was rejected, according to law at any rate not latter than eight weeks from today. Rule made absolute accordingly. No order as to cost.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**